

### REMARKS

This Application has been carefully reviewed in light of the Final Office Action mailed August 8, 2008. At the time of the Final Office Action, Claims 1-15 were pending in this Application. Claims 1-3, 5-9 and 15 were rejected. Claims 1 and 15 have been amended. Claims 4 and 10-14 were previously withdrawn due to an election restriction requirement. Applicant respectfully requests reconsideration and favorable action in this case.

#### **Rejections under 35 U.S.C. § 102**

Claims 1-3, 5-9 and 15 were rejected by the Examiner under 35 U.S.C. §102(b) as being anticipated by Great Britain Patent No. 2112455 issued to David John Gaskell (“*Gaskell*”). Applicant respectfully traverse and submits the cited art does not teach all of the elements of the claimed embodiment of the invention.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). Furthermore, “the identical invention must be shown in as complete detail as is contained in the ... claim.” *Richardson v. Suzuki Motor Co. Ltd.*, 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989). Applicant respectfully submits that the cited art as anticipated by the Examiner cannot anticipate the rejected Claims, because the cited art does not show all the elements of the present Claims.

A comma has been deleted in the independent claims 1 and 15. The independent claims 1 and 15 now clearly specify that the second part comprises a second guide zone that guides the guided zone of the first part. Basis for this amendment can be found throughout the whole application as filed, for example, page 8, paragraph [0023]; page 8, paragraph [0024]; and Figures 2 and 3. Thus, no new matter has been added. A marked-up version of the new set of claims is enclosed, from which the Examiner may take the individual amendments made.

The Examiner considers *Gaskell* to disclose a second part (item 26 or probably more likely item 23 in *Gaskell*) comprising a second guide zone (“2nd guide zone” in the enclosed Figure 1 of the Office Action) that guides the guided zone (“guided zone of the first part” in

the enclosed Figure 1 of the Office Action) of the first part 17. Applicant respectfully disagrees.

*Gaskell* fails to teach, at least, that the second part comprises a second guide zone that guides the guided zone of the first part. The spring 26 or spring abutment 23 does not comprise the 2nd guide zone. Rather the skirt portion 11 comprises the 2nd guide zone as indicated in the enclosed Figure 1 of the Office Action. The skirt portion 11 is not movable with respect to the nozzle as claimed by the present claims 1 and 15. The 2nd guide zone indicated by the Examiner does not guide the nozzle body 17. The nozzle assembly in *Gaskell* includes the nozzle body 17 having a flange 17A which is trapped (thus not guided) between the end of the skirt portion 11 and the cap nut 12. *Gaskell*, page 1, lines 114-116.

Since *Gaskell* fails to teach, at least, that the second part comprises a second guide zone that guides the guided zone of the first part, it is respectfully requested that the rejection under 35 U.S.C. §102 is withdrawn. Applicants respectfully submit that the dependent Claims are allowable at least to the extent of the independent Claim to which they refer, respectively. Thus, Applicants respectfully request reconsideration and allowance of the dependent Claims. Applicants reserve the right to make further arguments regarding the Examiner's rejections under 35 U.S.C. §102, if necessary.

### CONCLUSION

Applicant has made an earnest effort to place this case in condition for allowance in light of the remarks set forth above. Applicant respectfully requests reconsideration of the pending claims.

Applicant believes there are no fees due at this time, however, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 50-2148 of Baker Botts L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicant's attorney at 512.322.2545.

Respectfully submitted,  
BAKER BOTTS L.L.P.  
Attorney for Applicant

A handwritten signature in black ink, appearing to read 'A. Grubert', with a stylized flourish at the end.

Andreas Grubert  
Registration No. 59,143

Date: October 10, 2008

SEND CORRESPONDENCE TO:

BAKER BOTTS L.L.P.

CUSTOMER ACCOUNT NO. **31625**

512.322.2545

512.322.8383 (fax)